

# United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2005-10224-GAO

J.C. ANDERSON,  
Defendant.

## *ORDER AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)*

COLLINGS, U.S.M.J.

A Final Status Conference was held on November 28, 2005.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the  
numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) The defendant's request for production of Jencks Act material at this time is DENIED since no prior request was made pursuant to L.R. 116.3. The defendant is not entitled to a list of all other cases in which the CW has been an informant because the Government refused to provide this information in a letter dated November 7, 2005, and the defendant failed to file a motion to compel within 14 days as required by L.R. 116.3(G). Thus, the request for this

information at this time is DENIED. However, the Government will provide the name of the CW and a list of all cases in which he/she has testified, or was prepared to testify, or participated in the investigation 21 days before trial.

- (2) No.
- (3) No.
- (4) The government has requested notice of alibi; the defendant has not replied..
- (5) No non-discovery type motions were filed within the time set by the Court.
- (6) No.
- (7) At this point, it is unclear whether a trial will be necessary; trial will last about five (5) trial days.
- (8) See Further Order of Excludable Delay entered this date. ***An Initial Pretrial Conference should be set AS SOON AS POSSIBLE. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***
- (9) Five (5) days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.

(5) Seven (7) days.

(6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 ***AS SOON AS POSSIBLE. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE O'TOOLE'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS  
United States Magistrate Judge

November 28, 2005.